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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Technology Center 2600

In Re the Application of:

JELKS

Serial No.: 09/663,038

Filed: September 15, 2000

Confirmation No.: 3377

Atty. File No.: 41992-00220

For: "HIGH EFFICIENCY OPTICAL
FEEDBACK MODULATOR AND
METHOD OF OPERATION"

) Group Art Unit: 2633

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) Examiner: PAYNE, David C.

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AMENDMENT AND RESPONSE

<p>CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON <u>10-8-04</u></p> <p>MARSH FISCHMANN & BREYFOGLE LLP</p> <p>BY: <u>[Signature]</u> Lori Lane</p>

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Applicant submits this Amendment and Response to address the Office Action having a mailing date of July 12, 2004. Although Applicant believes that no fees are due in connection with the claim amendments made herein, please charge additional claim fees due, if any, to Deposit Account No. 50-1419. Additionally, although Applicant believes an extension of time is not needed, please consider this a petition for an extension of time under 37 C.F.R. 1.136(a) if an extension is necessary to maintain the pendency of the present application and charge the extension fee, if necessary, to Deposit Account No. 50-1419.

Please amend the above-identified application in the manner set forth herein.